

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

KATHLEEN STONE,

Plaintiff,

v.

**PRESIDENT AND FELLOWS OF
HARVARD COLLEGE, and JOHN AND
JANE DOES 1-50,**

Defendants.

Civ. No. 1:24-cv-11897

AFFIDAVIT

I, Kathleen Stone, duly depose and state under penalty of perjury the following:

1. I am the plaintiff in the above-captioned action. I make this affidavit of my own free will and based upon my own personal knowledge. This affidavit is submitted in opposition to Defendant President and Fellows of Harvard College's ("Harvard's") Motion to Dismiss the complaint in this action and in support of my cross-motion to amend the Complaint.

2. I previously served as the head coach of Harvard's Women's Ice Hockey team from 1994 through my termination of employment in 2023. Over the course of that period, my only break in service to Harvard was in 2014 when I briefly stepped away from my position to coach the U.S. Olympic Women's Hockey Team, where I proudly helped earn the United States a silver medal in the 2014 Olympic games.

3. Over the course of my employment at Harvard, I repeatedly fought for gender equality and Title IX compliance for my players, myself, and my colleagues.

4. Specifically, dating back to October 1999, I started advocating for gender pay parity for myself and these conversations were continued throughout my career at Harvard.

5. Beginning in 2017 and continuing throughout the remainder of my career at Harvard, I, along with my fellow female coaches, participated in ongoing and frequent meetings, conversations, and correspondences with Harvard's administrators, including, but not limited to, the former Dean and President Claudine Gay, former Athletic Director Bob Scalise, FAS Human Resources administrators Chris Cotti, Mark Sebring, and Kathy Santoro, and past President, Drew Faust, of gender issues at Harvard and the pay disparity between male and female coaches.

6. Beginning in 2020, I had numerous conversations with Harvard's Athletic Director Erin McDermott regarding the disparity in coaches' compensation and the gender discrimination inherent in the pay disparity between male and female coaches at Harvard.

7. I often reiterated the prior conversations I had participated in with Harvard's administration and stressed the importance of Harvard achieving parity in compensation between male and female coaches, particularly in ice hockey.

8. Through 2021 and 2022, I continued to have ongoing discussions with Erin McDermott where I made it a point to push the subject of Harvard reaching gender pay parity with respect to coaches' salaries. I shared with her our hockey league's annual coach's salary survey data, spoke about my own struggles to reach gender pay parity, and the illogical excuses I had been given by Harvard's administration for why I was not paid equal to or more than my male counterpart based on my experience and success, and stressed that reaching pay parity on behalf of myself and my fellow female coaches was one of the top items on my professional priority list.

9. Beginning with *The Boston Globe* article I spoke with Erin McDermott about the disparities in how I, a woman, was treated vis-à-vis my male counterpart and how things would be different were I a man. Erin McDermott remarked that the situation would not be the same if I

were a man and that my male counterpart would not have been subjected to the same scrutiny and circumstances as I was being thrust into. I agreed.


10. During the investigations, Erin McDermott acknowledged that I had raised complaints regarding gender pay disparities at Harvard and sought to talk to me further about my complaints.

11. With respect to gender disparities in general at Harvard, I repeatedly stressed that male and female sports should be treated as equal in terms of funding, support, and resources, yet women's sports were repeatedly viewed and treated as less prestigious and less important than men's sports.

12. I often made the comment to Bob Scalise and also to Erin McDermott that "male and female athletes pay the same amount of money to attend Harvard, therefore the resources should be the same." I never wavered in my pursuit of equality between men's and women's sports and the equal treatment of all athletes, regardless of gender.

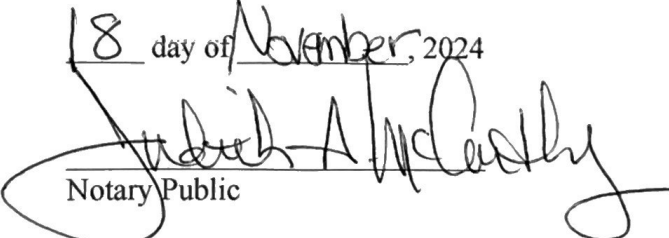
13. I continued to advocate for equality between men's and women's sports throughout my tenure, including during the unwarranted investigations of me and through my separation from Harvard due to my forced early retirement.

Dated: November 18, 2024

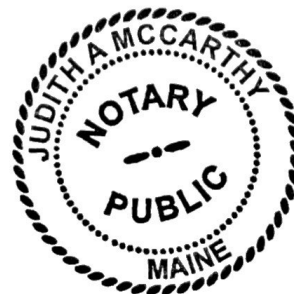

Kathleen Stone

Sworn to before me this

18 day of November, 2024


Notary Public

JUDITH A MCCARTHY
NOTARY PUBLIC
State of Maine
My Commission Expires
September 15, 2027



CERTIFICATE OF SERVICE

I certify that on November 18, 2024, this document was filed through the ECF System of the United States District Court for the District of Massachusetts and will be served electronically on the Registered Participants in the notice of Electronic Filing.

/s/ Andrew T. Miltenberg
Andrew T. Miltenberg